

Special Use-Alcoholic Beverage Permit with Waivers Application: SU-AB 23-0982
LUHO Hearing Date: October 23, 2023
Requested Classification: 4-COP-RX



Hillsborough County Florida

Development Services Department

1.0 APPLICATION SUMMARY

Applicant: Jorge Cordova
Zoning: CG
FLU Category: OC-20 RES-20
Service Area: TSA
Community Plan Area: University
Overlay: None
Special District: None
Use: Commercial General
Total Wet Zone Area Requested: 3,342 SF +/-
Inside Area Requested: 3,342 SF +/-
Outside Area Requested: None
Location: 1509 E Fletcher Avenue, Tampa; Folio 35819.0100



Introduction Summary:

The wet zoning is sought by a proposed restaurant located at 1509 E. Fletcher Avenue in the recently constructed Fletcher Shoppes II commercial building. The wet zoned area will comprise a footprint of 3,342 square feet of indoor area, as shown on a wet zone survey received September 6, 2023, with no outdoor area. The property is zoned CG (Commercial General) which allows the consideration of the proposed wet zoning.

Pursuant to Land Development Code (LDC) Section 6.11.11, the request is for a distance separation waiver for a 4- COP-RX Alcoholic Beverage Development Permit (AB) for the sale of beer, wine, and liquor for sale and consumption on the permitted premises only in connection with a restaurant. The restaurant shall have a patron seating capacity of at least 100 seats and a gross floor capacity (gross floor area plus covered patio area) of at least 2,500 square feet. Additionally, at least 51 percent of the restaurant's total biannual sales shall be derived from the sale of food and non-alcoholic beverages. These requirements shall not be waived or varied. Notwithstanding, an eating establishment which has 2,500 square feet of service area, is equipped to serve meals to 150 persons at one time, and derives at least 51 percent of its gross food and beverage revenue from the sale of food and non-alcoholic beverages may sell or deliver alcoholic beverages in a sealed container for off-premises consumption in accordance with the requirements of F.S. Sections 561.20 and 564.09 and if authorized under its state alcoholic beverage license.

Distance Separation Requirements	Complies with Requirement
Distance to Certain Community Uses Shall Be 500 feet	Yes
Distance to Residentially Zoned Property Shall be 150 Feet	No

Development Services Recommendation:

Approvable			
Existing Alcoholic Beverage Permit Being Rescinded:	No	Existing Alcoholic Beverage Permit Number:	N/A

2.0 REQUESTED DISTANCE SEPARATION WAIVER DETAILS

Requested Waiver	Required Separation	Waiver Distance	Resulting Separation
Distance from proposed structure to residentially zoned property	150 feet	113 feet	37 feet

Applicant's Justification:

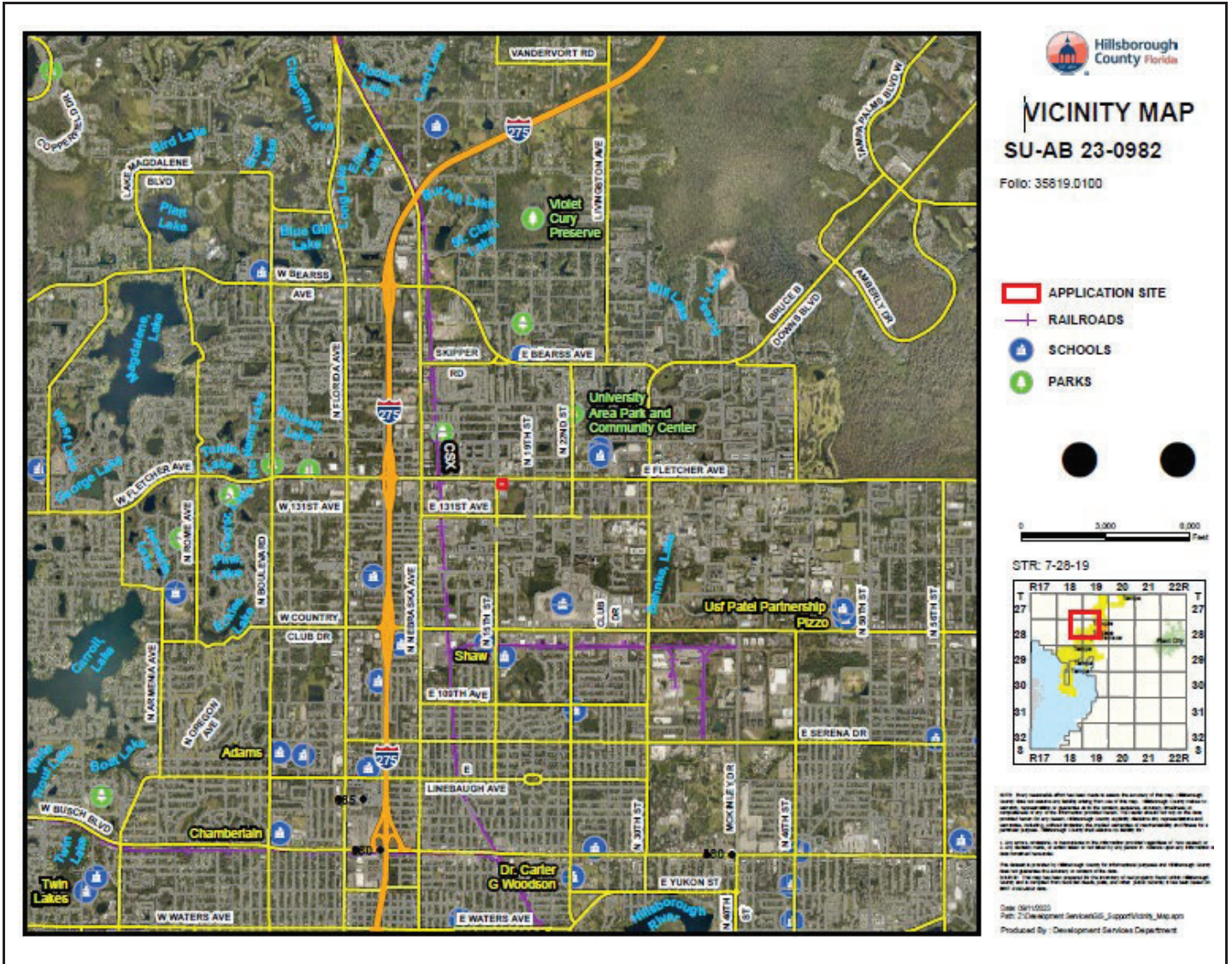
The property adjacent to the proposed AB location is owned by Hillsborough County and is currently vacant.

Requested Waiver	Required Separation	Waiver Distance	Resulting Separation
Not Applicable	Choose an item.		

Applicant's Justification:

3.0 LAND USE MAP SET AND SUMMARY DATA

3.1 Vicinity Map

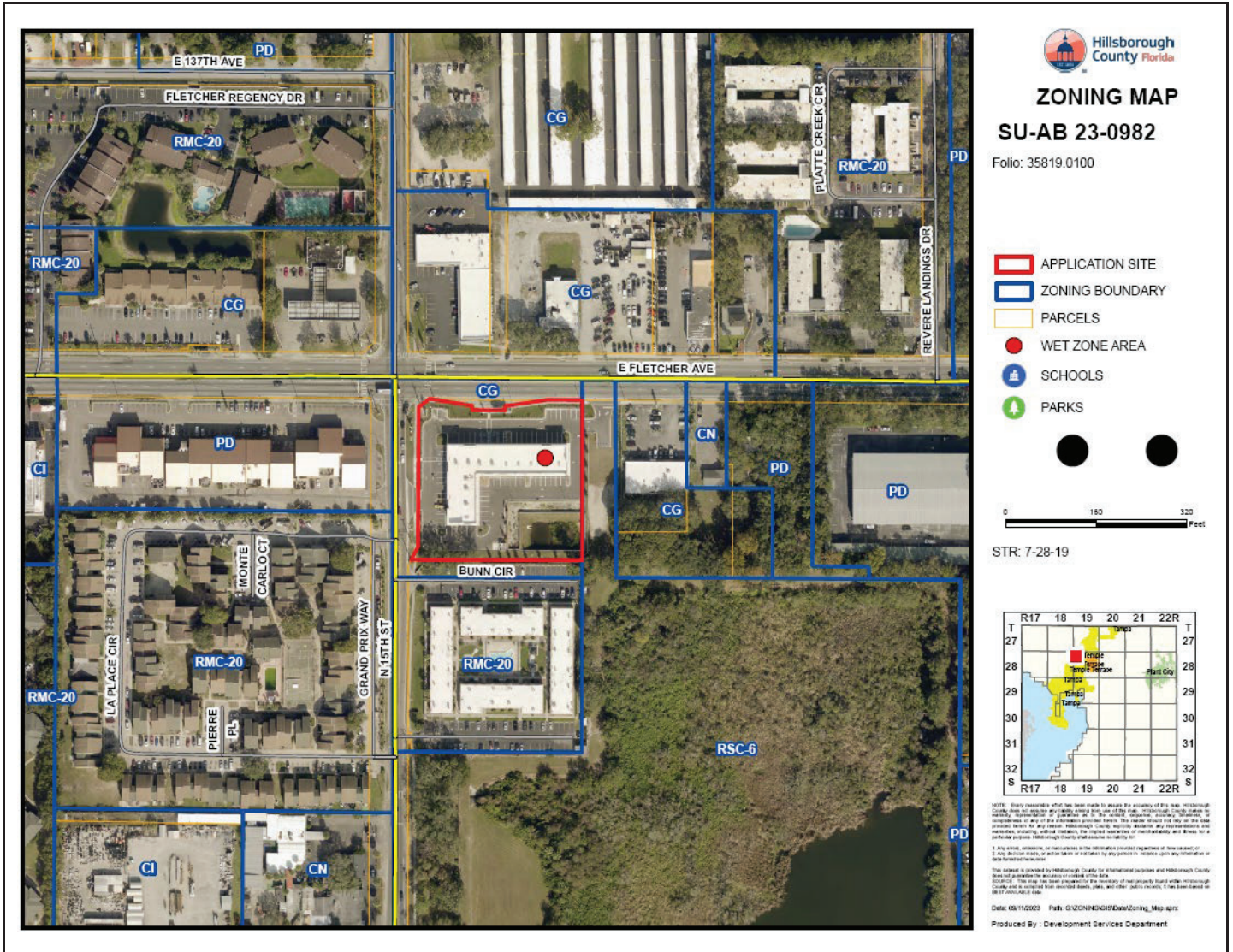


Context of Surrounding Area:

The property is located within the University Community Planning area and located on the southeast corner of E Fletcher Avenue, a major arterial roadway, and N 15th Street, a collector roadway. Development along E Fletcher Avenue is primarily commercial in nature, with multifamily residential located to the north and south of the commercial corridor along E Fletcher Avenue.

3.0 LAND USE MAP SET AND SUMMARY DATA

3.2 Immediate Area Map



Adjacent Zonings and Uses

Location:	Zoning:	Land Use:
North	Commercial General (CG)	Shopping Center(s)
South	Commercial General (CG) Residential Multi-Family Conventional (RMC-20)	Multi-Family Residential
East	Residential Single-Family Conventional (RSC-6)	Vacant
West	PD 73-0351	Shopping Center

4.0 Staff Findings

LDC Section 6.11.11.E.3 provides for approval of separation waivers where there are “special or unique circumstances where the alcoholic beverage use applied for does not have significant impacts on surrounding land uses and certain circumstances negate the necessity for the specified distance requirements.”

The proposed wet zoning is located along a major and collector roadway. The site is surrounded by similarly zoned commercial shopping centers where there are multiple existing approved wet-zoned establishments. To the south and southwest, there are multi-family developments.

The requested waiver for distance separation pertains to an undeveloped parcel owned by Hillsborough County, which is zoned as RSC-6. The said parcel is located to the east of the shopping center, at a distance of 37 feet. The property area that is adjacent to the proposed AB is situated south of Fletcher Avenue, with a width of 60 feet from east to west and a length of 315 feet from north to south. The parcel has been owned by the County since 1973-75 and was acquired through takings. Considering the length of time the County has owned the parcel and the acquisition and utilization as a retention area, it seems unlikely for the property to be sold and developed for residential purposes.




Additionally, given the width of the RSC-6 zoned area within 150 feet of the proposed wet zone area is 60 feet, if the County-owned property were to be developed with residential uses, this area would likely be utilized for an access road only, given it does not meet the minimum lot width requirement of 70 feet of the RSC-6 district. Likely any residential lots would be developed on the main portion of the County-owned site, which exceeds the 150-foot distance separation.

For the reasons discussed above, staff finds the proposed wet zoning does not pose significant impacts on surrounding land uses, and the necessity for the specified distance requirements is negated.

5.0 RECOMMENDATION

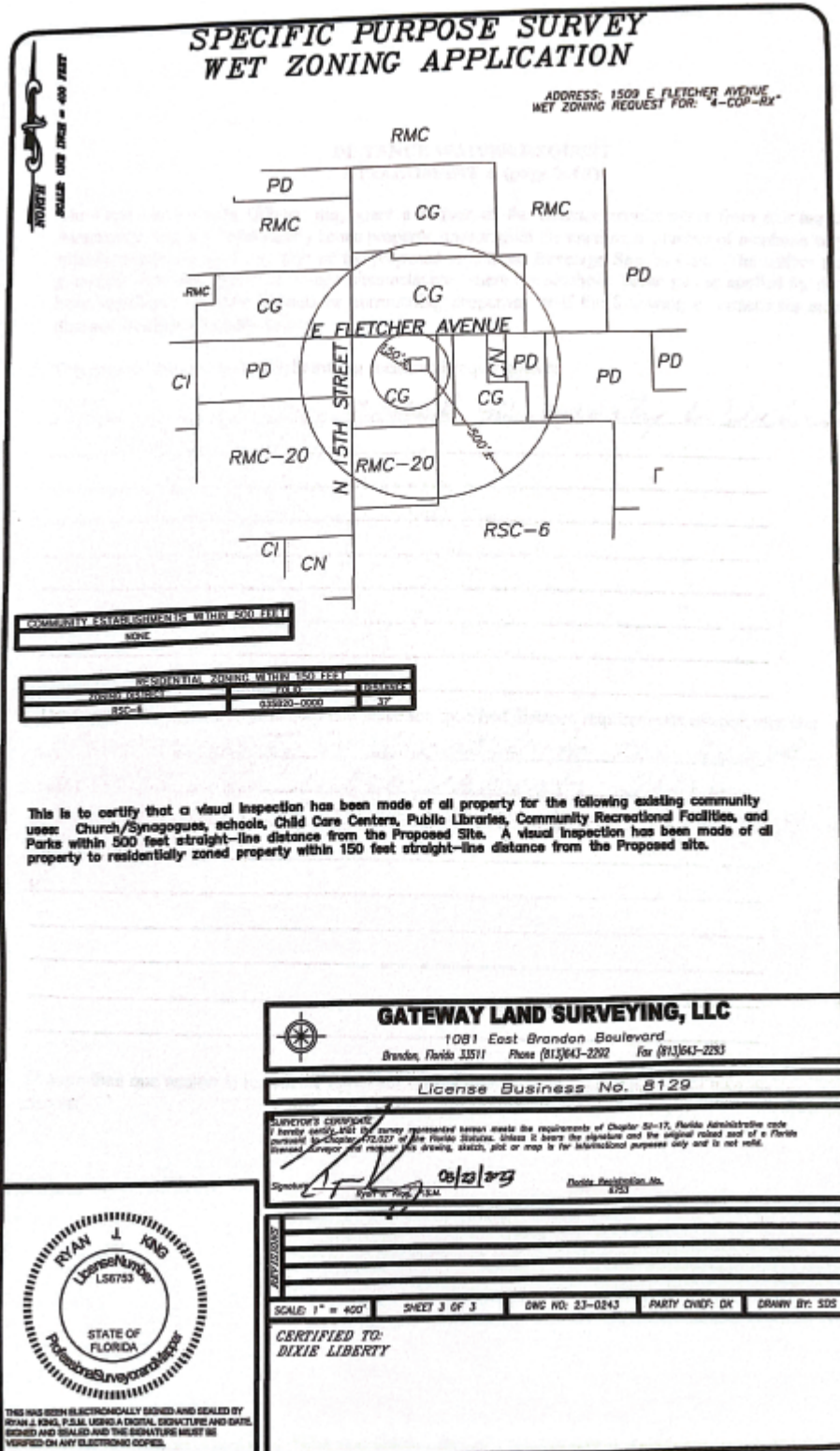
Staff finds the proposed 4-COP-RX Alcoholic Beverage Permit to be **APPROVABLE**. Approval is based upon the wet zone survey received on September 6, 2023, that reflects a total footprint of 3,342 square feet.

<p>Zoning Administrator Sign-Off:</p>	 <p>Colleen Marshall Tue Oct 10 2023 09:59:32</p>
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SITE, SUBDIVISION, AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.

Approval of this special use petition by Hillsborough County does not constitute a guarantee that the project will receive approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are being waived or otherwise approved. The project will be required to comply with the Site Development Plan Review approval process in addition to obtaining all necessary building permits for on-site structures.

6.0 PROPOSED WET ZONE SURVEY



6.0 PROPOSED WET ZONE SURVEY

**SPECIFIC PURPOSE SURVEY
WET ZONING APPLICATION
4COP-RX**

DESCRIPTION OF THE AREA TO BE WETZONED:

THAT PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 28 SOUTH, RANGE 19 EAST BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 28 SOUTH, RANGE 19 EAST; THENCE SOUTH 00°15'49" WEST 118.57 FEET ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 7; THENCE NORTH 89°57'13" EAST 229.98 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°57'13" EAST 22.88 FEET; THENCE SOUTH 00°02'47" EAST 2.10 FEET; THENCE NORTH 89°57'13" EAST 21.90 FEET; THENCE NORTH 00°02'47" WEST 2.10 FEET; THENCE NORTH 89°57'13" EAST 25.50 FEET; THENCE SOUTH 00°02'47" EAST 48.20 FEET; THENCE SOUTH 89°57'13" WEST 70.28 FEET; THENCE NORTH 00°02'47" WEST 48.20 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,342 SQUARE FEET, MORE OR LESS.

Surveyor's Report and Additional Notes
1. No underground installations or improvements have been located except as shown herein.
2. Revealed historical information was used by this surveyor to establish deed or plat lines and corners.
3. Unless otherwise shown herein, no jurisdictional features or any other physical topographic features have been located.
4. This survey does not reflect nor determine ownership.
5. Structures, sidewalks, alleys, easements and other related items shown on this map were located to the best of the ability of Gateway Land Surveying, LLC. We do not guarantee the exactness of their location or their dimensions. Other features not shown on this map that are related to items noted above may also exist.
6. Fences shown herein may or may not conform along with property lines specific fence line, as shown, are from specific locations. This surveyor makes no guarantee of the fence location.
This Survey does not represent a determination of whether this land will or will not flood or be subject to flooding.

NOTE:
The signing surveyor at Gateway Land Surveying, LLC cannot be responsible for any omissions, mistakes or alterations to the subject property, to the improvements thereon, or to the data. This survey map or report is the property of Gateway Land Surveying, LLC and any additions, alterations or corrections by any other than the signing surveyor is strictly prohibited. The reuse of this survey by any third party for purposes other than which it was intended is strictly prohibited without the written consent or notification of the original signing surveyor. Any re-use will be at sole risk and without any liability to the signing surveyor or their representing firm.

GATEWAY LAND SURVEYING, LLC
1081 East Brandon Boulevard
Brandon, Florida 33511 Phone (813)645-2292 Fax (813)641-2283
License Business No. 8129

SURVEYOR'S CERTIFICATE
I hereby certify that this survey represented herein meets the requirements of Chapter 34-12, Florida Administrative Code pursuant to Chapter 472.022 of the Florida Statutes. Unless it bears the signature and the original raised seal of a Florida Licensed Professional Surveyor, this drawing, sketch, plat or map is for informational purposes only and is not valid.
Signature: Ryan J. King, P.E., S.M. Date: 10/20/2023 Florida Registration No. 8733



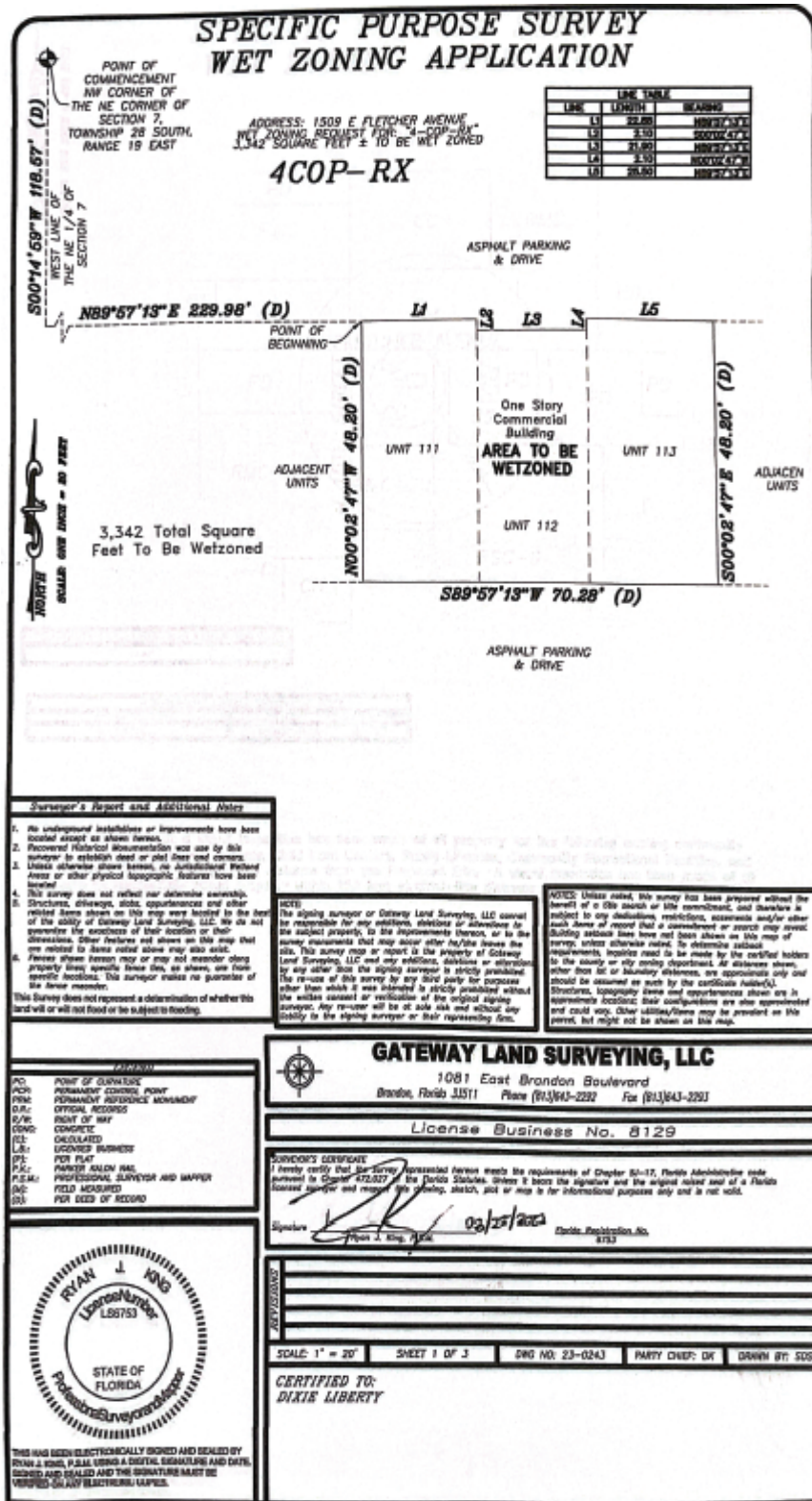
THIS HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY RYAN J. KING, P.E., S.M. USING A DIGITAL SIGNATURE AND DATE. SIGNED AND SEALED AND THIS SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

REVISIONS

SHEET 2 OF 3 DWG NO: 23-5243 DRAWN BY: SDS

**CERTIFIED TO:
DIXIE LIBERTY**

6.0 PROPOSED WET ZONE SURVEY



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Written Statement

Jose E Condona

Adrianas Mexican Bar & Grill II

1509 E Fletcher Ave #111, 112, 113

Tampa, FL 33612

Requesting a HCOPRX

Beer, Wine and Liquor for sale and consumption on the permitted premises only in connection with a restaurant

No outside seating

Space contains 3342 SF

All Survey there are 1
waiver needed

This parcel belongs to Hulsborough
County Real Estate Dept

Folio: 0358200000

The property is 37 feet away asking
for 113 feet

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Prepared by and Return to:
Cheryl Johnson
MTI Title Insurance Agency, Inc.
27544 Cashford Circle, Suite 101
Wesley Chapel, FL 33544

-Incidental to the issuance of title insurance

Property Appraiser's Parcel ID #U-07-28-19-ZZZ-000001-28570.0
File- MFL-2222996
Consideration Amount \$1,400,000.00

WARRANTY DEED

This Indenture, Made this **October 3, 2018** _____, between **UPMC15, L.C., a Florida limited liability company**, whose post office address is: 5818 Neal Drive, Tampa, FL 33617, hereinafter called the "Grantor"*, and, **Fletcher Shoppes II, Inc., a Florida Corporation**, whose post office address is: 4815 E. Busch Blvd. Suite 201, Tampa, FL 33617, hereinafter called the "Grantee":

Witnesseth: That said Grantor, for and in consideration of the sum of Ten (\$10.00) Dollars and other valuable consideration, to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying, and being in Hillsborough County, FL, and being further described as follows:

The West half (W 1/2) of the Northwest quarter (NW 1/4) of the Northwest quarter (NW 1/4) of the Northeast quarter (NE 1/4) of Section 7, Township 28 South, Range 19 East, LESS North 40.00 feet for Road, Hillsborough County, Florida.

LESS: PARCEL 1:

The South 339.00 feet of the West 1/2 of the Northwest 1/4 of the Northwest 1/4 of the Northeast 1/4 of Section 7, Township 28 South, Range 19 East, Hillsborough County, Florida, less the West 30.00 feet thereof as described in Deed Book 1875, Page 316, of the Public Records of Hillsborough County, Florida, and less the South 30.00 feet of the West 35.00 feet of the West 1/2 of the Northwest 1/4 of the Northwest 1/4 of the Northeast 1/4 of Section 7, Township 28 South, Range 19 East, Hillsborough County, Florida, less the West 30.00 feet thereof, as described in Official Records Book 3890, Page 228, of the Public Records of Hillsborough County, Florida.

THAT PART OF:

The West half (W 1/2) of the Northwest quarter (NW 1/4) of the Northwest quarter (NW 1/4) of the Northeast quarter (NE 1/4), LESS the North 40 feet for Road. All lying and being in Section 7, Township 28 South, Range 19 East, Hillsborough County, Florida.

Lying within 42.5 feet Southerly of the Survey Line of FLETCHER AVE, (582-A) per Hillsborough County Project No. 83-17-R, a portion of said Survey Line being described as follows:

BEGIN said Survey Line at a Railroad Spike (STA. 36+23.63) marking the Northeast corner of the Northwest 1/4 of Section 7, Township 28 South, Range 19 East, said point lying South 00° 32' 44" East 2661.74 feet from the Northeast corner of the Southwest 1/4 of Section 6, Township 28 South, Range 19 East; thence run S 89° 40' 35" East a distance of 1338.41 feet along the Northerly boundary of said Section 7, to END said Survey Line at a Railroad Spike (STA. 49+62.04) marking the Northeast corner of the Northwest 1/4 of the Northeast 1/4 of said Section 7, said point lying North 00° 21' 56" East 1330.95 feet from the Southwest corner of the Northeast 1/4 of the Northeast 1/4 of Section 7, Township 28 South, Range 19 East.

ALSO THAT PART OF THE TRACT FIRST DESCRIBED ABOVE, LYING WITHIN THE FOLLOWING DESCRIBED BOUNDARIES:

Commence at the Northeast corner of the Northwest 1/4 of Section 7, Township 28 South, Range 19 East, Hillsborough County, Florida; run thence S. 89° 40' 35" E., along the Northerly boundary of said Section 7, a distance of 21.48 feet; thence S. 00° 19' 25" W., 42.50 feet to a point on the existing Easterly maintained right of way line for 15th Street for a Point of Beginning; thence S. 89° 40' 35" E., 32.00 feet; thence S. 53°28'07" W., 25.01 feet; thence S. 00°21'33" W., 245.00 feet; thence S. 19°17'02" W., 37.00 feet to a point on said right of way line; thence N. 00°21'33" E., along said right of way line, 295.00 feet to the Point of Beginning.

Less existing rights of way for 15th Street, as described in Official Records Book 4922, Page 1234, of the Public Records of Hillsborough County, Florida.

AND

Less and Except from the Stipulated Order of Taking recorded in Official Records Book 24900, Page 116, of the Public Records of Hillsborough County, Florida, being described as follows:

PARCEL 37

THAT PART OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 28 SOUTH, RANGE 19 EAST, HILLSBOROUGH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID NORTHEAST 1/4 OF SECTION 7; THENCE S89°39'29"E, ALONG THE NORTH LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 69.42 FEET; THENCE S00°20'31"W, 42.50 FEET TO THE SOUTH RIGHT OF WAY LINE OF EAST FLETCHER AVENUE (COUNTY ROAD 582A) AS DESCRIBED IN OFFICIAL RECORDS BOOK 4922, PAGE 1234, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE S89°39'29"E, ALONG SAID SOUTH RIGHT OF WAY LINE, 208.28 FEET; THENCE S81°44'53"W, 75.62 FEET; THENCE S00°20'31"W, 8.40 FEET; THENCE N89°39'29"W, 58.00 FEET; THENCE N00°20'31"E, 8.40 FEET; THENCE N81°08'48"W, 76.53 FEET TO THE POINT OF BEGINNING.

Property Address: 1497 East Fletcher Avenue, Tampa, FL 33612

Property is the homestead of the grantor(s)

Said property is not the homestead of the grantor under the laws and constitution of the State of Florida in that neither grantor nor any member or the household of grantor resides thereon.

and said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

*"Grantor" and "grantee" are used for singular or plural, as context requires.

Subject to easements, restrictions, and covenants of record, and real property taxes for the current year which are prorated.

035256

In Witness Whereof, the said Grantor has hereunto set the Grantor's hand and seal the day and year first above written.

UPMC15, L.C., a Florida Limited Liability Company

By: *Antonina D. Chowdhari*
Antonina D. Chowdhari, Manager

Cheryl Johnson
Witness #1 Signature

Cheryl Johnson
Witness #1 Print Name

Pass Cross
Witness #2 Signature

Witness #2 Print Name

State of Florida ; County of Polk

The foregoing instrument was acknowledged by me this October 3, 2018 _____ by:
UPMC15, L.C., a Florida limited liability company who is/are personally known by me or who has/ produced: a valid driver's license as identification and who did not take an oath.

Cheryl Johnson
Notary Public

My Commission Expires: _____



CHERYL JOHNSON
MY COMMISSION # FF 204669
EXPIRES: June 8, 2019
Bonded Thru Budget Notary Services

Buffer distance

IMPORTANT NOTICE



Buffer distance

Subject parcel(s)

Parcels within buffer distance

THIS MAP IS NOT A WARRANTY

This map was generated from information provided in the public records. It is not a warranty of accuracy. Not to be used for legal purposes.

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Received
09-01-23
Development
Services



**Hillsborough
County Florida**
Development Services

Property/Applicant/Owner Information Form

Official Use Only

Application No: FT-SU-AB 23-0982
Hearing(s) and type: Date: 10/23/2023
Date: _____

Type: LUHO
Type: _____

Intake Date: 09/01/2023
Receipt Number: 301131
Intake Staff Signature: Keshia Rivas

Property Information

Address: 1509 E. Fletcher Ave. #11, 112, 113 City/State/Zip: Tampa FL 33612
TWN-RN-SEC: 28-19-07 Folio(s): 035819-0100 Zoning: CG Future Land Use: R-20 Property Size: 1.83
OC-20

Property Owner Information

Name: Fletcher Shoppes II, Inc. Daytime Phone: 813-385-6071
Address: 12220 N. 56th St. City/State/Zip: Temple Terrace, FL 33611
Email: PM@nwr-group.com Fax Number: _____

Applicant Information

Name: Jorge F. Cordova Daytime Phone: 813-440-05
Address: 1509 E. Fletcher Ave City/State/Zip: Tampa FL 33612
Email: _____ Fax Number: _____

Applicant's Representative (if different than above)

Name: Dixie Roberts Daytime Phone: 813-517-8581
Address: 200 Adams Ave City/State/Zip: Hopkinsville KY 40291
Email: _____ Fax Number: _____

I hereby swear or affirm that all the information provided in the submitted application packet is true and accurate, to the best of my knowledge, and authorize the representative listed above to act on my behalf on this application.

I hereby authorize the processing of this application and recognize that the final action taken on this petition shall be binding to the property as well as to the current and any future owners.

Signature of the Applicant

Jorge F. Cordova
Name or print name

Signature of the Owner(s) - (All parties on the deed must sign)

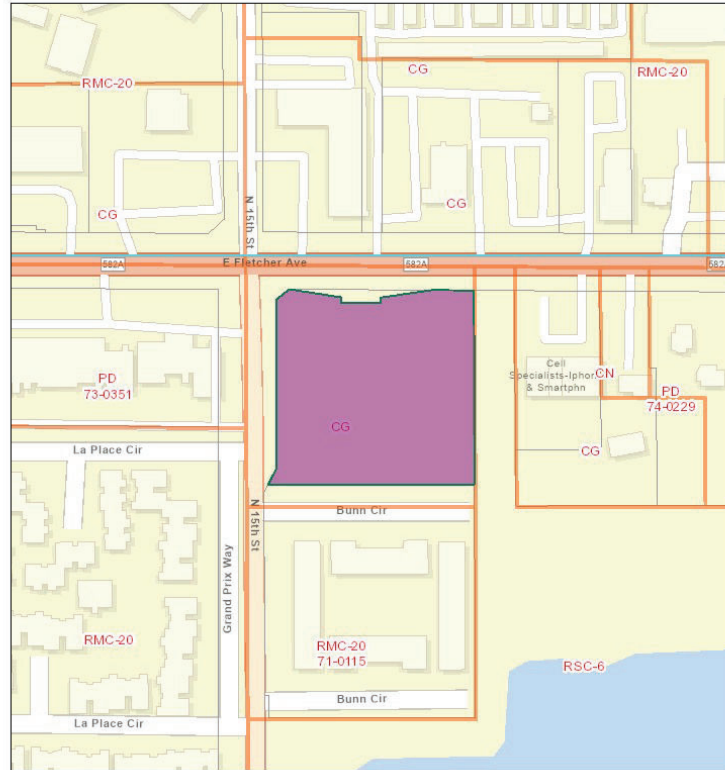
Adrian A. B. 29
Type or print name



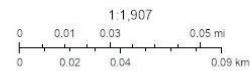
PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Commercial/Office/Industr
Zoning	CG
Description	Commercial - General
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0204H
FIRM Panel	12057C0204H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120204D
County Wide Planning Area	University Area Community
Community Base Planning Area	University Area Community
Census Data	Tract: 010815 Block: 1003
Future Landuse	OC-20
Future Landuse	R-20
Future Landuse	R-20
Future Landuse	OC-20
Future Landuse	R-20
Future Landuse	OC-20
Urban Service Area	TSA
Waste Water Interlocal	City of Tampa Waste Water
Water Interlocal	City of Tampa Water
Mobility Assessment District	Urban
Mobility Benefit District	1
Fire Impact Fee	Northwest
Parks/Schools Impact Fee	NORTHEAST
ROW/Transportation Impact Fee	ZONE 1
Wind Borne Debris Area	140 MPH Area
Competitive Sites	NO
Redevelopment Area	University Redevelopment Area

Folio: 35819.0100



September 1, 2023



RS: Esri Community Maps Contributors, University of South Florida, City of Tampa, FDEP, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, Swiremap, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

Hillsborough County Florida

Folio: 35819.0100
PIN: U-07-28-19-ZZZ-000001-28570.0
Fletcher Shoppes II Inc
Mailing Address:
 12220 N 56th St
 null
 Temple Terrace, FL 33617-1531
Site Address:
 1509 E Fletcher Ave
 Tampa, FL 33612
SEC-TWN-RNG: 07-28-19
Acreage: 1.83624995
Market Value: \$1,312,220.00
Landuse Code: 1000 Vacant Comm.

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2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder.